CERTIFICATION OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, Eleftherios Kravaris, hereby certify that on this 7th day of July 2008, I caused true and correct copies of the foregoing Motion to Strike the Affidavit of Frank Restivo to be served by First Class Mail upon:

Tim Delahunt
Kenney, Shelton, Liptak, Nowak, LLP
Attorneys for Defendant
Rand Building, Suite 510
14 Lafayette Square
Buffalo, New York 14203

ELEFTHERIØS KRAVARIS (EK-4579)